

REMARKS/ ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

35 U.S.C. § 101 Rejections

Examiner rejected claims 1-27 under 35 U.S.C. § 101. Applicants respectfully traverse the rejections.

Claims 1-27 as amended are directed to a method, an apparatus, or a system that identifies **business records** in response to a search request from a user. The identified business records contain useful information, such as product and pricelists (see Specification, p. 58, lines 14-16) for the user's business. Thus, the invention as claimed produces a useful, concrete, and tangible result.

Accordingly, claims 1-27 are directed to patentable subject matter. Withdrawal of the rejections is respectfully requested.

35 U.S.C. § 112 Rejections

Examiner rejected claims 1-27 under 35 U.S.C. § 112, first paragraph because, according to the Examiner, the current case law requires such a rejection if a § 101 rejection is given (Office Action, p. 7). Since the rejections under § 101 should be withdrawn for at least the reasons discussed above, Applicants

respectfully traverse the rejections under § 112, first paragraph, and respectfully request the Examiner to withdraw the rejections.

New Claims

New claims 28-34 have been added without introducing any new matter. It is respectfully submitted that the new claims 28-34 are directed to patentable statutory subject matter. Allowance of claims 28-34 is earnestly solicited.

CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call C. Teresa Wong at (408) 720-8300, x377.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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